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10 Attorneys for Plaintiff  
11 United States of America

12 UNITED STATES DISTRICT COURT

13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 SOUTHERN DIVISION

15 UNITED STATES OF AMERICA, ) NO. SACV 08-445 CJC (FFMx)  
16 Plaintiff, ) [PROPOSED]  
17 v. ) CONSENT JUDGMENT OF FORFEITURE  
18 \$94,925.00 IN U.S. CURRENCY, )  
19 Defendant. )  
20 \_\_\_\_\_ )  
21 LIONEL ALVAREZ, )  
22 Claimant. )  
23 \_\_\_\_\_ )

24 This action was filed on April 24, 2008. Notice was  
25 given and published in accordance with law. Claimant Lionel  
26 Alvarez filed a claim opposing forfeiture on June 3, 2008 and an  
27 answer on June 19, 2008. No other claims or answers have been  
28 filed, and the time for filing such claims and answers has

1 expired. Plaintiff and claimant have reached an agreement that  
2 is dispositive of the action. The parties hereby request that  
3 the Court enter this Consent Judgment of Forfeiture. **WHEREFORE,**

4 **IT IS ORDERED, ADJUDGED AND DECREED:**

- 5 1. This court has jurisdiction over the parties and the  
6 subject matter of this action.
- 7 2. Notice of this action has been given in accordance with  
8 law. All potential claimants to the defendant currency  
9 other than claimant are deemed to have admitted the  
10 allegations of the Complaint. The allegations set out  
11 in the Complaint are sufficient to establish a basis  
12 for forfeiture.
- 13 3. The United States of America shall have judgment as to  
14 \$47,463.00 of the defendant currency, plus all interest  
15 earned by the government on the entirety of the  
16 defendant currency, and no other person or entity shall  
17 have any right, title or interest therein. The United  
18 States Marshals Service is ordered to dispose of said  
19 assets in accordance with law.
- 20 4. \$47,462.00 of the defendant currency, without any  
21 interest earned by the government on that amount, shall  
22 be returned to claimant Lionel Alvarez. Said funds  
23 shall be forwarded by check made payable to "William S.  
24 Pitman, Esq., Attorney-Client Trust Account," and shall  
25 be mailed to William S. Pitman, Esq., 624 South Grand  
26 Avenue, Suite 2200, Los Angeles, California 90017.
- 27 5. Claimant hereby releases the United States of America,  
28 its agencies, agents, and officers, including employees

1 and agents of the Drug Enforcement Administration, from  
2 any and all claims, actions or liabilities arising out  
3 of or related to this action, including, without  
4 limitation, any claim for attorney's fees, costs or  
5 interest which may be asserted on behalf of the  
6 claimant, whether pursuant to 28 U.S.C. § 2465 or  
7 otherwise.

8 6. Plaintiff, United States of America, agrees that it  
9 will not seek to recover civil sanctions (except to the  
10 extent that the forfeiture of the defendant currency  
11 can be considered a civil sanction), attorney's fees or  
12 costs in connection with this action or the underlying  
13 seizure.

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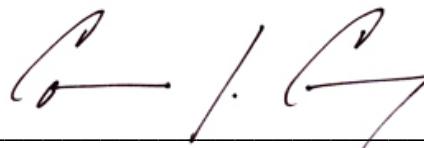
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1       7. The Court finds that there was reasonable cause for the  
2           seizure of the defendant currency and institution of  
3           these proceedings. This judgment shall be construed as  
4           a certificate of reasonable cause pursuant to 28 U.S.C.  
5           § 2465.

6

7           Dated: November 18, 2008

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9           THE HONORABLE CORMAC J. CARNEY  
10           UNITED STATES DISTRICT JUDGE

11           Approved as to form and content:

12           Dated: October \_\_\_, 2008

13           THOMAS P. O'BRIEN  
14           United States Attorney  
15           CHRISTINE C. EWELL  
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22

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25           Asset Forfeiture Section  
26

27           Attorneys for Plaintiff  
28           United States of America  
29

30           Dated: October \_\_\_, 2008

31           \_\_\_\_\_  
32

33           WILLIAM S. PITMAN  
34           Attorney for Claimant  
35           LIONEL ALVAREZ  
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